

GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

Public Services – A.P.Civil Services (Executive Branch) Rules, 1992 – Promotion of Sri T.Ajay Kumar, Tahsildar, as Deputy Collector as per seniority – Promotions - Accorded - Orders – Issued.

REVENUE (SER.I) DEPARTMENT

G.O. Ms. No. 576

Dated:14.09.2012.

Read the following :-

1. G.O.Ms.No.2165 Revenue (Ser.I) Department, dated 02.12.2011
2. From the CCLA's Proceedings No.VS-I(3)1917/2010 dt.05.01.2012
3. Govt., Memo No.5164/Vig.II(1)/2012-2 Rev (Vig.II) Department dated 28.05.2012.
4. From the Spl.C.S & Chief Commissioner of Land Administration, Lr.No. D1/1678/2011, dated:07.06.2012.

<<<>>>

ORDER :

In the reference 1st read above, Government have accorded adhoc promotions to the Tahsildars including Section Officers and Superintendents to the category of Deputy Collector in the panel year 2011-12, basing on the seniority list proposed by Special Chief Secretary & Chief Commissioner of Land Administration, Hyderabad. But, the name of Sri T.Ajay Kumar has been included and deferred due to pending of disciplinary case at Sl.No.24.

2. In the reference 2nd read above, the special Chief Secretary and Chief Commissioner of Land Administration, A.P., Hyderabad, have imposed a penalty of "Censure" against the Charged Officer Sri T.Ajay Kumar, formerly Tahsildar, Pamur & present Tahsildar, Kanigiri Mandal, Prakasam District for slackness in supervision. In the reference 3rd read above, Government have observed that, due to defective supervision of MRO, irregularities were detected in respect of 7 houses out of 17 houses. However, the amount paid to the ineligible persons have already been recovered. As such, there is no monetary loss to the Government and accordingly, Government have decided to absolve the delinquent officer from the charge and set aside the punishment of censure imposed vide reference 2nd read above in respect of Sri T.Ajay Kumar, Tahsildar, Prakasam District.

3. The Departmental Promotion Committee meeting was convened on 08.11.2011, the name of Sri T.Ajay Kumar has been included and deferred due to pending of disciplinary case at Sl.No.24 against roster point 65. The minutes of DPC have approved by the Government in reference 1st read above.

4. In the reference 4th read above, the Special Chief Secretary and Chief Commissioner of Land Administration, A.P., Hyderabad, has informed that Sri T.Ajay Kumar, Tahsildar, Kanigiri Mandal, Prakasam District has filed a representation stating that his name has been included and deferred due to censure awarded vide reference 2nd read above and the same was set aside vide reference 3rd read above and requested to promote him to the cadre of Deputy Collector. The Special Chief Secretary and Chief Commissioner of Land Administration, A.P., Hyderabad, has requested the Government to consider the name of Sri T.Ajay Kumar, Tahsildar, Prakasam District, for promotion to the cadre of Deputy Collector as the Government set aside the punishment imposed, and issue necessary orders in the matter at an early date.

5. Further, the interim orders of Hon'ble APAT dated 8.10.2010 and 11.2.2011 in OA No. 7002/2010 filed by Sri Ch.Srinivasulu, Tahsildar, Mahabubnagar District and in OA No. 686/2011 filed by Sri B.Kishan Rao, Tahsildar, Mahabubnagar District respectively, may not have any impact on the minutes of DPC held on 20.11.2010 to the extent of effecting promotions of Tahsildars as Deputy Collectors in view of interim orders dated 01.12.2010 of the Hon'ble High Court in WP MP No. 37015/2010 in WP No. 29053 /2010.

6. The provisions of Rule 5 of the A.P.State & Subordinate Service Rules, 1996 is as follows :-

"SELECTION POSTS : (a) All first appointments to a State Service and all promotions / appointment by transfer in that service shall be made on grounds on merit and ability, seniority being considered only where merit and ability are approximately equal, by the appointing authority as specified in sub-rule (a) of rule 6 from the panel of candidates. Such panel shall be prepared as laid down in rule 6 by the appointing authority or any other authority empowered in this behalf."

Keeping in view of the above rule position, all promotions to the State services shall be made after approval of the DPC proceedings. In the instant case, it becomes not feasible to approve the DPC proceedings in view of the Hon'ble High Court interim orders dated: 01.12.2010 in WP.MP.No. 37015/2010 in WP No.29053/2010. The Law Department has also advised to accord promotion to the category of Deputy Collectors basing on the seniority list.

7. Accordingly, Government have examined the issue in detailed and decided to accord temporary promotions to Sri T.Ajay Kumar, Tahsildar to the category of Deputy Collector for the panel 2011-12 as per seniority, subject to outcome of the court cases.

8. The Government after careful examination and on the analogy of the orders issued in G.O.1st read above, the adhoc promotion accorded to Sri T.Ajay Kumar, Tahsildar, as recommended by the Spl.Chief Secreatry and Chief Commissioner of Land Administration, A.P., Hyderabad, is hereby considered in the cadre of Deputy Collector for the panel year 2011-12 basing on the seniority list with the following condition:-

"subject to outcome of OA No. 8082/10 and WP No. 29053/10 pending in the APAT, the High Court respectively and any other cases pending before any court of law and also subject to outcome of disciplinary proceedings pending against him"

9. The promotion and posting orders to the individuals will be issued separately.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

**ANIL CHANDRA PUNETHA
PRINCIPAL SECRETARY TO GOVERNMENT**

To
The Spl.CS & Chief Commissioner of Land Administration, Hyderabad.
SF/SC.

// FORWARDED BY ORDER //

SECTION OFFICER